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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

THIERRY MOINE

Civil Case No. CV 07-1141-ST

Plaintiff,

Agency # A 72 149 036

vs.

Department of Justice, **ALBERTO R. GONZALES**, United States Attorney General; Federal Bureau of Investigation, **ROBERT S. MUELLER III**, Director and **MICHAEL A. CANNON** Chief, National Name Check Program; Department of Homeland Security, **MICHAEL CHERTOFF**, Secretary; and United States Citizenship and Immigration Services, **WILLIAM McNAMEE**, Portland District Director and **EMILIO GONZALEZ**, Director,

Defendants.

ORDER OF REMAND WITH INSTRUCTIONS

Based on the joint motion of the parties and the files and records in the case, it is HEREBY ORDERED AND ADJUDGED as follows.

1. This matter shall be remanded to the USCIS defendants with instructions to adjudicate Plaintiff's Application for Naturalization, Immigration Form N-400, and, if the application is approved, swear in Plaintiff as a citizen of the United States within 60 days of the date of the order of remand.
2. If, for whatever reason, Plaintiff's Application for Naturalization, Immigration Form N-400, is not adjudicated within 60 days from the date of the order of remand, this Court shall retain jurisdiction to review the matter.

3. All parties waive their rights to appeal this order of remand.

Dated this 10th day of August, 2007.



HONORABLE JANICE M. STEWART
United States Magistrate Judge